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**CONTINUED PROSECUTION PATENT APPLICATION REQUEST**  
(Under 37 CFR § 1.53(d))

PRIOR APPLICATION: 08/869,406	
EXAMINER: Anish Gupta	ART UNIT 1654
ANTICIPATED CLASSIFICATION OF THIS APPLICATION:	
CLASS	SUBCLASS

<b>EXPRESS MAIL</b>	
Mailing label number EE 458 513 795 US	
Date of Deposit February 8, 1999	
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents and Trademarks, Washington, D.C. 20231.	
<u>DANIEL MORENO</u>	
(Typed or printed name of person mailing paper or fee)	
<u>[Signature]</u>	
(Signature of person mailing paper or fee)	

[37 CFR § 1.8 Certificate of Mailing CANNOT be used.]

**ASSISTANT COMMISSIONER FOR PATENTS**  
Box CPA  
WASHINGTON, D.C. 20231

This is a Request for filing a X continuation or \_\_\_ divisional application under 37 CFR § 1.53(d) (continued prosecution application (CPA)) of prior application Serial No. 08/869,406, filed on June 5, 1997, by the following named inventor(s): Wolfgang Barnikol, and currently entitled **METHOD FOR THE PREPARATION OF MOLECULARLY UNIFORM HYPERPOLYMERIC HEMOGLOBINS.**

FULL NAME OF INVENTOR	FAMILY NAME BARNIKOL	FIRST GIVEN NAME WOLFGANG	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY MAINZ	STATE OR FOREIGN COUNTRY GERMANY	COUNTRY OF CITIZENSHIP GERMANY
CURRENT CORRESPONDENCE ADDRESS	POST OFFICE ADDRESS LANZELHOHL 66 D-55128 MAINZ	CITY GERMANY	STATE & ZIP CODE/COUNTRY
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
CURRENT CORRESPONDENCE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
CURRENT CORRESPONDENCE ADDRESS	POST OFFICE ADDRESS	CITY	STATE & ZIP CODE/COUNTRY

02/11/1999 SLUW61 00000037 08869406

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- See attached sheet for names and addresses of additional inventors (if any).
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. 1.53(d)(4). Please delete the following inventor(s) named in the prior nonprovisional application:
- See attached sheet for names of additional inventors to be deleted (if any).

The above identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including all previously entered amendments and the drawings, as the basic papers for the new application.

Note: If prior application is not to be abandoned, then the form for 37 CFR 1.53(b) should be used.

1. -      Enter the amendment previously filed on      under 37 CFR 1.116 but unentered, in the prior application.
2. -   X   A Preliminary Amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS	10 -20-	0	x \$18.00	\$
INDEPENDENT CLAIMS	2 -3-	0	x \$78.00	\$
MULTIPLE DEPENDENT CLAIMS(S) (IF APPLICABLE)			+ \$260.00	\$
			BASIC FEE	+ \$ 760.00
Total of above Calculations				\$760.00
Reduction by 1/2 for filing by small entity (Note: 37 CFR § 1.9, § 2.37, § 1.28).				\$380.00
TOTAL FILING FEE				\$380.00

3.      The Commissioner is hereby authorized to charge payment of the following fees associated with this communication and credit any overpayment to Deposit Account No. 01-1944. A duplicate copy of this sheet is enclosed

- (X) Any additional filing fees required under 37 CFR 1.16
- (X) Any patent application processing fees under 37 CFR 1.17.

- The Commissioner is hereby authorized to charge payment of the following fees during the pendency of the application or credit any overpayment to Deposit Account No. 01-1944. A duplicate copy of this sheet is enclosed

- (X) Any patent application processing fees under 37 CFR 1.17
- (X) Any filing fees required under 37 CFR 1.16 for the presentation of extra claims.

4. a.   X   A check in the amount of ~~\$380.00~~ is enclosed.
- b.      The filing fee to be paid later with surcharge.

The PTO did not receive the following listed item(s) a check of 380.00 but, a check of 680.00 enclosed

5. a. X Priority of foreign Application No(s). P 44 18 973.7 filed on May 31, 1994 in Germany is claimed under 35 U.S.C. 119.
- b. X A certified copy of said foreign priority application(s) was filed in prior U.S. application Serial No. 08/455,426 filed May 31, 1995. Acknowledgement was received May 31, 1995.
6. X The prior application is assigned of record to SanquiBioTech AG.
7.      Power of attorney and/or correspondence address was changed during prosecution of the prior application. The power of attorney and/or correspondence address is indicated below:
- Attention of:
8.      Original title and original applicant(s) of prior U.S. application, if different from above:
9.      Applicants hereby petition for an extension of time in the parent application (identified above) as may be needed for the latter to be copending with this application.
- A separate confirmatory petition paper with required fee is filed herewith for independent processing and separate entry in the parent application file.

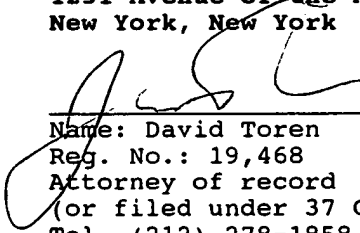
Address all future communications to (may only be completed by applicant, or attorney, or agent of record):

Attention of:

David Toren  
Anderson Kill & Olick, P.C.  
AKO-TOREN  
1251 Avenue of the Americas  
New York, New York 10020

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.53(d) application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.  
Date: February 8, 1999

Anderson Kill & Olick, P.C.  
AKO-TOREN  
1251 Avenue of the Americas  
New York, New York 10020

  
\_\_\_\_\_  
Name: David Toren  
Reg. No.: 19,468  
Attorney of record  
(or filed under 37 CFR § 1.34)  
Tel. (212) 278-1858

DT:sj